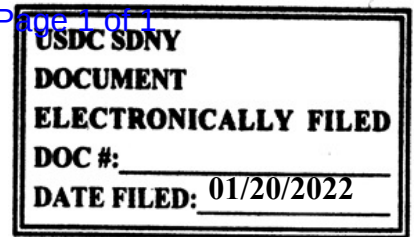


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## MEMO ENDORSED

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January 19, 2022

Magistrate Judge Katharine H. Parker  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

**It has been determined after consulting with Counsel that the Pre-Settlement Conference set for Tuesday, January 25, 2022 at 12:30 p.m. will proceed as scheduled. Please dial (866) 434-5269, Access code: 4858267.**

**SO ORDERED:**

HON. KATHARINE H. PARKER  
UNITED STATES MAGISTRATE JUDGE

01/20/2022

RE: JOHN RUFFLER V. METRO-NORTH COMMUTER RAILROAD  
20 Civ. 10618

Dear Magistrate Judge Parker:

I am plaintiff's counsel in the above-captioned matter scheduled for a pre-settlement telephone conference on Tuesday, January 25, 2022 at 12:30 PM. I write to request an adjournment since I am required to attend a court-ordered site inspection in El Paso, Texas that same day.

In addition, during preliminary discussions in advance of the conference, defense counsel indicated a desire to file a motion for summary judgment if the case is not resolved at this stage. In an effort to avoid wasting the Court's time, the parties are prepared to report back to the Court regarding the feasibility of settling the case by February 4, 2022 so that a new settlement conference date is issued only because the efforts will not be in vain.

Consequently, it is respectfully requested that the conference be adjourned to allow defendant to either file its Motion for Summary Judgment or permit the parties to report back by February 4, 2022 as to the status of settlement discussions and to request a new settlement conference. We attempted to obtain consent of defense counsel but were not able to get it prior to the filing of this letter.

Respectfully submitted,

Marc Wietzke

MW:EF  
CC: Alan Muraidekh, Esq.